

Andru Volinsky,  
Executive Councilor for District Two  
Meeting Report  
Executive Council Meeting of April 19, 2017  
and  
Confirmation Hearings of April 12, 2017

Please feel free to contact me at [Andru.Volinsky@nh.gov](mailto:Andru.Volinsky@nh.gov).

Commissioner Confirmation Hearings

The Governor nominated Kenneth Merrifield of Franklin to be the Labor Commissioner and Peter Kujawski of Bedford to the Commissioner of the Department of Environmental Services ("DES") at our meeting of April 5<sup>th</sup>. The Councilors agreed to hold confirmation hearings for the two nominees on April 12<sup>th</sup>. I met with both nominees privately before their hearings and shared the relevant information I gathered during the hearings. I also arranged for Mr. Kujawski to meet with representatives of the Nature Conservancy, the Forest Society, the Appalachian Mountain Club, NH Audubon, and the Conservation Law Foundation because I felt that he lacked exposure to the State's environmental community and I wanted him to have resources should he be confirmed.

Merrifield for Commissioner of Labor

We held Mr. Merrifield's confirmation in the morning and it lasted about two hours. Mr. Merrifield is the sitting mayor of Franklin and was formerly the vice chair of the State's Republican party. Many representatives from city government and from the Party testified on Mr. Merrifield's behalf. The witnesses described him as hardworking and caring. Although Mr. Merrifield has worked in state government at the DHHS for many years, he has never supervised other employees except for the six people he supervised while serving a very brief stint at the Department of Education. Mr. Merrifield is not a member of the SEIU. He pays agency fees to cover the expense of the SEIU bargaining on his behalf. Mr. Merrifield is a strong supporter of so-called Right to Work legislation and has testified in its behalf. He does not have any experience at the Department of Labor and was unaware of some of its functions when I met with him. Mr. Merrifield studied the operations of the Labor Department and was able to articulate the goals and mission of the Labor Department at the hearing.

I asked Mr. Merrifield about minimum wage laws at the hearing because he will enforce them. He testified that he supports minimum wage laws and believes a gradual increase is in order. In response to my questions, Mr. Merrifield also voiced support for paying women the same as men, but disappointingly is not aware of any problems in terms of gender pay equity. Mr. Merrifield agreed to refrain from advocating for laws that will undermine the ability of unions to organize. He agreed to work with organized labor. Mr. Merrifield also agreed to step down as mayor so that he could devote his full attention to working as the Commissioner of Labor. Ultimately, I supported Mr. Merrifield's nomination, although it was with great reluctance and

only after he had met with and satisfied the building trades unions that he would work with them to protect New Hampshire's workers.

#### Kujawski for Commissioner of Environmental Services

Mr. Kujawski also had his hearing on April 12<sup>th</sup> and it lasted about two hours. He was supported by many friends and colleagues from industry and from the military, where he served for 30 years. Again, many Republican party officials either spoke on Mr. Kujawski's behalf or sent letters, most notably, former Sen. Kelly Ayotte sent a letter of support.

It became clear from my private meeting and again at the hearing that Mr. Kujawski lacked any real experience in protecting the environment or in regulating businesses that impact the environment. As but one example, I asked him about his views on climate change. He acknowledged the real problems of human-caused climate change, but when I asked what he would do as Environmental Services Commissioner, he responded he did not know as he had only considered the matter for one week.

I asked Mr. Kujawski about the process that led to his nomination as I am concerned that the nominee lacked experience or apparent intellectual curiosity about the agency he would supervise. Mr. Kujawski explained that he approached the Governor and offered his services. The Governor, in turn, offered Mr. Kujawski his choice of four state agency positions and one position in private industry. I pressed Mr. Kujawski on the offer of a position in private industry and Mr. Kujawski was clear that the offer had been made.

The Governor, through his spokesman, quickly denied that he offered to arrange a job in private industry for Mr. Kujawski and subsequently withdrew the nomination. There is no word on who the Governor will nominate next.

#### Council Agenda Items of Note

The Council breakfast preceding the April 19<sup>th</sup> meeting was hosted by Councilor Joseph Kenny at the Department of Transportation where we received a presentation about ongoing projects and recent grant awards focused on alternative transportation modalities involving bikes and walking trails. The program's precursor was the Safe Schools program that helped build sidewalks around the state.

The Council approved a Business Finance Authority (BFA) loan guarantee for Benson Woodworking Co., Inc. and Unity Building Technologies, Inc. Councilor Wheeler opposed the guarantee. These two related businesses manufacture and construct custom timber frame and system component buildings for the residential and commercial markets. Benson Woodworking was established in 1974 by Tedd and Christine Benson and is a strong, reliable employer in Walpole. The loan at issue will allow the related businesses to develop and refurbish a 100,000 square foot building at 25 Production Avenue in Keene. The project should allow the businesses to add another 10% to their 150 employees.

The Council also approved increasing the BFA's credit line extended to the Strafford County Economic Development Corporation for business development loans. The vote was 5-0.

Consistent with our DOT presentation, the Council approved grants to municipalities totaling over \$7 million under the Federal Transportation Alternatives Program.

The Council approved an educational tuition agreement for a state employee who works at DHHS. The vote was 4-1, with Councilor Wheeler dissenting.

The Council approved an amendment to a contract between the Department of Safety and a company called, Gordon Darby, that will permit motor vehicle inspection stations to print inspection stickers on-site rather than having to drive to Concord to retrieve them. The vote was 4-1, with Councilor Wheeler dissenting.

Finally, Governor Sununu has determined not to re-appoint Tom Raffio as chairman of the State Board of Education despite his many years of exemplary service. Drew Cline of Bedford has been nominated to replace him. With Mr. Raffio's departure, the Governor will now have appointed three of the seven State Board members. The next board member to complete his term will be Bill Duncan of Newcastle whose term expires in January 2018.

#### Nominations and Confirmations

As mentioned above, Mr. Merrifield of Franklin was confirmed as Labor Commissioner. The following confirmations also occurred: Damon E. Burt, Strafford, to the Board of Home Inspectors, Ashley G. Woods, Manchester, to the Board of Licensure of Interpreters for the Deaf and Hard of Hearing, Adam Dumville, Exeter, to the Board of Professional Geologists, Deborah A. Pendergast, Gilford, to the Division of Fire Standards and Training and Emergency Medical Services, Matthew Connors, Bedford, to the Electricians' Board, Mark Ciocca, Penacook, to the Family Mediator Certification Board, Keith Quinton, Hanover, to the NH Retirement System's Independent Investment Committee, and Dino Scala, Rye, to the NH Judicial Council.

The following nominations were made:

Artist Laureate---Gary Sampson, Concord

New Hampshire State Council on the Arts---Sarah Stewart, Manchester

State Board of Education---Andrew "Drew" Cline, Bedford (District 4)

Board of Registration of Funeral Directors and Embalmers---Vincent A. Baiocchetti, Gilmanton

Juvenile Parole Board---Barry Nilson, Amherst

Board of Licensing for Alcohol and Other Drug Use Professionals---Jacqueline H. Abikoff, Gilford and Tim Turmell, Stratham (Public Member)

Mechanical Licensing Board---Steven Guercia, Concord

Volunteer New Hampshire Board of Directors---William W. Boyd, Merrimack  
and Timothy J. Acerno, Epping

### Spotlight

#### A. \$15 an Hour

At my request, the state's agencies began reporting the lowest rates of compensation paid by state vendors to their employees on state projects. The following contracts were approved with the pay scale noted:

DOT paving contract with Continental Paving in Londonderry at \$18/hr with benefits,  
DOT paving contract with Pike Industries of Belmont at \$12/hr with benefits after 1 yr,  
DOT paving contract with GMI Asphalt of Belmont at \$14/hr with benefits.

### Next Meeting

Our next regularly scheduled Executive Council meeting will occur at the State House on May 3rd, 2017, beginning at 10. a.m. The agenda for the meeting will be posted by the Secretary of State on the Executive Council web page late on the preceding Friday afternoon.

<http://sos.nh.gov/GC2.aspx>

I am responsible for organizing the Executive Council's informal breakfast which may be attended by the public. It will begin at 8 a.m. at Child and Family Services located at 103 North State Street in Concord.

### **REGION 1: MONADNOCK** **BUSINESS FINANCE AUTHORITY**

[#7](#) Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13 with respect to a loan from TD Bank to Benson Woodworking Company, Inc. located in Walpole, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act. **Vote: 4-1 (Wheeler)**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### ***Division of Public Health Services***

[#15](#) Authorized to enter into an agreement with Keene State College of the University System of NH, Keene, NH, to provide physical activity consultation in child care, in an amount not to exceed \$15,000. Effective upon G&C approval through June 30, 2017. **100% Federal Funds. Unanimous Vote**

### **DEPARTMENT OF ENVIRONMENTAL SERVICES**

[#47](#) Authorized to enter into an agreement with the Southwest Region Planning Commission, Keene, NH, to complete the *Spofford Lake Watershed-Based Management*

Plan, in the amount of \$26,850. Effective upon G&C approval through December 31, 2018. **100% Federal Funds. Unanimous Vote**

## **REGION 2: MERRIMACK**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### ***Division for Behavioral Health***

[#16](#) Authorized to enter into an agreement with JSI Research & Training Institute Inc., d/b/a Community Health Institute, Bow, NH, to assist the Department with providing Maternal, Infant and Early Childhood Visiting services and ensuring tobacco use intervention services are readily available to individuals in need of services in an amount not to exceed \$297,499. Effective upon G&C approval through June 30, 2018. **100% Federal Funds. Unanimous Vote**

[#17](#) Authorized to amend a contract with the Foundation for Healthy Communities, Concord, NH (originally approved by G&C on 9-3-14, item #20), to continue assisting Critical Access Hospitals to improve quality of care for Medicare beneficiaries, by increasing the price by \$81,918 from \$563,077 to an amount not to exceed \$644,995. Effective upon G&C approval through August 31, 2017. **100% Federal Funds. Unanimous Vote**

## **LATE ITEMS**

### **DEPARTMENT OF ADMINISTRATIVE SERVICES**

[#B](#) Authorize the Division of Public Works Design and Construction to enter into a contract with R.T.H. Mechanical Contractors, Inc. (VC# 277973) Brentwood, NH, for a total price not to exceed \$1,075,395, for Steam Conversion at the New Hampshire Hospital Warehouse, Transportation Garage, Laundry, Grounds Shop and the Upham Walker House, Concord, NH. (2) Further authorize the amount of \$35,000 be approved for payment to the Department of Administrative Services, Division of Public Works Design and Construction (VC# 177875), for engineering services provided, bringing the total amount to \$1,110,395. Effective upon G&C approval through October 15, 2017, unless extended in accordance with the contract terms. **100% General Funds. 100% General Funds. Unanimous Vote**

## **REGION 3: MERRIMACK**

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

#### ***Division of Family Assistance***

#5 [#A](#). Authorized to exercise a no-cost renewal option for **sole source** agreements with the vendors as detailed in letter dated February 23, 2017 (originally approved by G&C on 8-3-16, Late Item A), for the provisions of substance use disorder treatment services, residential and/or supportive housing, and wraparound services to pregnant and/or parenting women who are experiencing substance use disorders; have income at or below the 185% Federal Poverty Level; and are homeless, or at risk of becoming homeless in Strafford County. Effective July 1, 2017 through June 30, 2018. **100% Federal Funds. Unanimous Vote**

## **BUSINESS FINANCE AUTHORITY**

[#6](#) Authorized to hold a Public Hearing with respect to the financing of a loan to Strafford Economic Development Corporation located in Dover, NH. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a

public use, provide public benefit and is within the policy and authority of the Act. **Unanimous Vote**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### ***Division for Behavioral Health***

[#12](#) Authorized to enter into an agreement with the University of NH, Durham, NH, for the training and coaching of NH Wraparound Coordinators, for an amount not to exceed \$15,000. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**

[#13](#) Authorized to enter into an agreement with University of NH, Durham, NH, to provide services for the provision of creating a Workforce Development Plan for State Youth Treatment-Planning, in an amount not to exceed \$90,000. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**

## **NEW HAMPSHIRE FISH AND GAME DEPARTMENT**

[#45](#) Authorized to accept and expend \$34,500 in federal funds from the US Fish and Wildlife Service for the purpose of culturing and stocking anadromous Rainbow Smelt in an effort to restore declining population numbers in Great Bay Estuary. Effective upon G&C approval through June 30, 2017. (2) Further Authorized to enter into a **sole source** Cooperative Project Agreement with the University of NH UNH, to assist with the program by raising the Rainbow Smelt at the UNH Aquaculture Research Center, in the amount of \$69,500. Effective upon G&C approval through December 31, 2018. **100% Federal Funds. Unanimous Vote**

[#46](#) Authorized to enter into a **sole source** Cooperative Project Agreement with University of NH to carry out endangered seabird conservation, for a total of \$122,762. Effective upon G&C approval through March 31, 2019. **65% Federal, 35% Conservation License Plate Funds. Unanimous Vote**

## **DEPARTMENT OF ENVIRONMENTAL SERVICES**

[#50](#) Authorized to enter into a grant agreement with the Town of Rollinsford, NH, in an amount not to exceed \$109,336 to partially fund the purchase of a new fire truck. Effective upon G&C approval through September 30, 2017. **100% Federal Funds. Unanimous Vote**